

# Notice of Allowability

Application No.

10/045,140

Examiner

Sean E Conley

Applicant(s)

HUNG, CHIEN-LUNG

Art Unit

1744

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to January 15, 2002.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ The drawings filed on January 15, 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |  |   |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                             | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____             |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____  | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                  |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other  |

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Please amend the specification as follows:

On page 2, line 6 after "disk-like" insert --or bowl-like--

On page 2, line 9 after "the" insert --disk-like or--

On page 3, line 10 after "disk-like" insert --or bowl-like--

On page 3, line 12 after "the" insert --disk-like or--

On page 3, line 15 after "coil 2 and the" insert --disk-like or--

Please amend the claim 1 as follows:

On page 6, line 18 delete "disk-like"

On page 6, line 19 delete "bowl-like"

On page 7, line 2 delete "bowl-like"

Authorization for this examiner's amendment was given in a telephone interview with David Klein (Reg. # 33253) on January 6, 2004.

***Allowable Subject Matter***

2. Claims 1-11 are allowed.

3. The following is an examiner's statement of reasons for allowance: The prior art fails to teach or suggest an apparatus for sterilizing and sprouting grains comprising a combination of the following features:

- A container adapted to hold grains for sprouting comprising a water inlet pipe, an overflow pipe, a grains discharge control valve disposed at the bottom and controlled to discharge sprouted grains out of the container.
- A top cover covering the container and comprising a plurality of ultraviolet lamps adapted to sterilize water inside the container.
- A water supply coil mounted inside the container and connected to the water inlet and having a plurality of water outlets adapted to guide water from the inlet into the inside of the container.
- A wire gauze filter mounted in the container above the water supply coil, the wire gauze filter having a bottom outlet pipe connected through the discharge control valve.
- Active carbon blocks mounted inside the container between the water supply coil and wire gauze filter.

The closest prior art to the applicant's claimed invention U.S. Pat. 6,363,656 B1 to Byun and U.S. Pat. 6,120,822 to Denvir et al.

Byun discloses an apparatus for germinating a large quantity of grain in a short period of time by allowing the grain to be washed, germinated, and dried. The apparatus comprises a rotatable drum for containing the grain to be germinated having a plurality of drain holes pierced through a surface of the drum. A spraying means extends through the drum in a longitudinal direction for spraying water on the grain. A treating means connected to an end of the spraying means is used for heating, purifying, and increasing the amount of dissolved oxygen in the water. Both end portions of the drum have a hollow truncated cone shape and the drum further comprises at least one ultraviolet lamp attached to the spraying means to sterilize the inside of the drum (see col. 1, line 64 to col. 2, line 38 and figures 1-2).

Denvir et al. disclose an apparatus for decontamination of food products such as grains and seeds by treatment with ozone. The apparatus comprises a treatment chamber which is connected to an ozone delivery system for delivering ozone to the agricultural product contained in the chamber. Pressure and temperature sensors are located inside the chamber in order to monitor operating parameters inside the chamber (see col. 6, lines 27-51). In operation the ozone gas is introduced into the chamber and the agricultural product is decontaminated.

However, neither of the above references teaches or suggests the applicant's claimed invention for sterilizing and sprouting grains. The references fail to teach a wire gauze filter, a water supply coil, activated carbon blocks located below the filter and above the water supply coil, and ultraviolet lamps located on the top cover of the container.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Conley, whose telephone number is (571) 272-1273. The examiner can normally be reached on Monday-Friday 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Robert Warden, can be reached at (703) 308-2920. The Unofficial fax phone number for this group is (703) 305-7719. The Official fax phone number for this Group is (703) 872-9310. The direct fax number to the (571) 273-1273.

When filing a FAX in Technology Center 1700, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communications with the PTO that are not for entry into the file of the application. This will expedite the processing of your papers.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [robert.warden@uspto.gov]. All Internet e-mail communications will be made of record in the application file. PTO employees will not

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communicate with applicant via internet e-mail where sensitive data will be exchanged or where there exists a possibility that sensitive data could be identified unless there is of record express waiver of the confidentiality requirements under 35 U.S.C. 122 by the applicant. See the Interim Internet Usage Policy published by the Patent and Trademark Office Official Gazette on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist, whose telephone number is (703) 308-0661.

Sean E. Conley  
Patent Examiner  
AU 1744

SEC *sc*  
January 7, 2004

*Robert J. Warden, Sr.*  
ROBERT J. WARDEN, SR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700